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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Makoto OGISO et al. **Confirmation No.: not yet assigned**  
Serial No : 10/569,556 (National Stage of PCT/JP2003/10826) Art Unit: not yet assigned

Filed : February 27, 2006 (I.A. Filed: August 27, 2003)

For : BIOCOMPATIBLE MATERIAL STRUCTURE IMPREGNATED WITH  
FINE BONE POWDER AND ITS PRODUCTION METHOD

**INFORMATION DISCLOSURE STATEMENT**

Commissioner of Patents  
U.S. Patent and Trademark Office  
Customer Service Window, Mail Stop Amendment  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

Sir:

Pursuant to 37 C.F.R. § 1.56 and 37 C.F.R. §§ 1.97-1.98, Applicants hereby direct the Examiner's attention to the following documents cited in the International Search Report and the corresponding International Preliminary Report on Patentability for International Application PCT/JP03/10826 of which the above-referenced is a national phase:

- (1) EP 0 474 174 A2, March 11, 1992;
- (2) U.S. Patent No. 5,183,570 (NOTOYA et al.), February 2, 1993; Applicants note that this document is a family member of document (1);
- (3) U.S. Patent No. 5,244,577 (NOTOYA et al.), September 14, 1993; Applicants note that this document is a family member of documents (1) and (2);

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- (4) JP 4-240454 A, August 27, 1992, accompanied by an English language abstract thereof (provided by Patent Abstracts of Japan);
- (5) El Deeb, M., et al. "Osteogenesis in Composite Grafts of Allogenic Demineralized Bone Powder and Porous Hydroxylapatite", Journal of Oral and Maxillofacial Surgery, 1989, vol. 47, no.1, pp.50-56;
- (6) JP 3-191963 A, August 21, 1991, accompanied by an English language abstract thereof (provided by Patent Abstract of Japan);
- (7) JP 2001-137328, May 22, 2001, accompanied by an English language abstract thereof (provided by Patent Absract of Japan);
- (8) WO 95/13102 A1, May 18, 1995;
- (9) U.S. Patent No. 5,816,811 (BEATY), October 6, 1998; Applicants note that this document is a family member of document (8);
- (10) U.S. Patent No. 5,607,480 (BEATY), March 4, 1997; Applicants note that this document is a family member of documents (8) and (9);
- (11) Ignjatovic, N., et al. "A study of HAp/PLLA composite as a substitute for bone powder using FT-IR spectroscopy", Biomaterials, 2001, vol. 22, pp. 571-575;
- (12) JP 2003-517888 A, June 3, 2003;
- (13) WO 01/45760 A1, June 28, 2001; Applicants note that this document is a family member of document (12);
- (14) U.S. Patent Application Publication No. 2003/0103960 A1 (PHILIPPART et al.), June 5, 2003; Applicants note that this document is a family member of documents (12) and (13);

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(15) U.S. Patent Application Publication No. 2005/0244393 A1 (PHILIPPART et al.),

November 3, 2005; Applicants note that this document is a family member of documents (12)-(14).

Copies of the above-listed documents (with the exception of U.S. patents and U.S. patent applications) and the International Search Report (in English) for International Application PCT/JP03/10826 and the corresponding International Preliminary Report on Patentability are enclosed together with a completed copy of the PTO-1449 Form listing these documents. Accordingly, the Examiner is requested to consider these documents and to indicate such consideration by returning a signed and initialed copy of the PTO-1449 Form with the next official communication.

Further to the U.S. Patent and Trademark Office's decision to partially waive the requirements under 37 C.F.R. § 1.98 (a)(2)(i) and (iii), copies of the U.S. patents and U.S. patent applications cited above are not enclosed herewith. However, if any copies are needed, the Examiner is respectfully requested to contact the undersigned.

Applicant notes that an Office Action on the merits has not issued in the present application, and thus no fee is believed necessary to ensure consideration of the submitted material.

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If there should be any questions, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,  
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| FORM PTO-1449  |  | U.S. Department of Commerce<br>Patent and Trademark Office |          | Atty. Docket No.<br>P29315       | Application No.<br>10/569,556 |                           |                            |
|--|--|--|----------|----------------------------------|-------------------------------|---------------------------|----------------------------|
| INFORMATION DISCLOSURE STATEMENT<br>BY APPLICANT<br><i>(Use several sheets if necessary)</i>   |  |  |          | Applicant<br>Makoto OGISO et al. |                               |                           |                            |
|  |  |  |          | Filing Date<br>February 27, 2006 |                               | Group<br>Not Yet Assigned |                            |
|  |  | U.S. PATENT DOCUMENTS                                      |          |                                  |                               |                           |                            |
| EXAMINER INITIALS  | PATENT & TRADEMARK OFFICE  | DOCUMENT NUMBER  | DATE     | NAME                             | CLASS                         | SUBCLASS                  | FILING DATE IF APPROPRIATE |
|  |  | 5 1 8 3 5 7 0  | 02/02/93 | NOTOYA et al.                    |                               |                           |                            |
|  |  | 5 2 4 4 5 7 7  | 09/14/93 | NOTOYA et al.                    |                               |                           |                            |
|  |  | 5 8 1 6 8 1 1  | 10/06/98 | BEATY                            |                               |                           |                            |
|  |  | 5 6 0 7 4 8 0  | 03/04/97 | BEATY                            |                               |                           |                            |
| 2003/  |  | 0 1 0 3 9 6 0  | 06/05/03 | PHILIPPART et al.                |                               |                           |                            |
| 2005/  |  | 0 2 4 4 3 9 3  | 11/03/05 | PHILIPPART et al.                |                               |                           |                            |
| FOREIGN PATENT DOCUMENTS   |  |  |          |                                  |                               |                           |                            |
|  |  | DOCUMENT NUMBER  | DATE     | COUNTRY                          | CLASS                         | SUBCLASS                  | TRANSLATION YES NO         |
|  |  | 0 4 7 4 1 7 4  | 03/11/92 | E.P.O.                           |                               |                           |                            |
| 4  | -  | 2 4 0 4 5 4  | 08/27/92 | JAPAN                            |                               |                           |                            |
| 3  | -  | 1 9 1 9 6 3  | 08/21/91 | JAPAN                            |                               |                           |                            |
| 2001   | -  | 1 3 7 3 2 8  | 05/22/01 | JAPAN                            |                               |                           |                            |
| 9  | 5 /  | 1 3 1 0 2  | 05/18/95 | JAPAN                            |                               |                           |                            |
| 2003   | -  | 5 1 7 8 8 8  | 06/03/03 | JAPAN                            |                               |                           |                            |
| 0  | 1 /  | 4 5 7 6 0  | 06/28/01 | W.I.P.O.                         |                               |                           |                            |
| OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)   |  |  |          |                                  |                               |                           |                            |
| 1  | English Language Abstract of JP 4-240454.  |  |          |                                  |                               |                           |                            |
| 2  | El Deeb, M., et al. "Osteogenesis in Composite Grafts of Allogenic Demineralized Bone Powder and Porous Hydroxylapatite", Journal of Oral and Maxillofacial Surgery, 1989, vol. 47, no.1, pp.50-56.. |  |          |                                  |                               |                           |                            |
| 3  | English Language Abstract of JP 3-191963.  |  |          |                                  |                               |                           |                            |
| 4  | English Language Abstract of JP 2001-137328.   |  |          |                                  |                               |                           |                            |
| 5  | Ignjatovic, N., et al. "A study of HAp/PLLA composite as a substitute for bone powder using FT-IR spectroscopy", Biomaterials, 2001, vol. 22, pp. 571-575.   |  |          |                                  |                               |                           |                            |
| EXAMINER   |  |  |          | DATE CONSIDERED                  |                               |                           |                            |
| *EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. |  |  |          |                                  |                               |                           |                            |